

**UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF WISCONSIN**

**WISCONSIN CARPENTERS PENSION FUND
and BRIAN GENTRY,**

Plaintiffs,

vs.

Case No. 08-CV-161-slc

JACO CONCRETE CONSTRUCTION,

Defendant.

ORDER FOR DEFAULT JUDGMENT AND INJUNCTIVE RELIEF

Request and application for default judgment brought by the Plaintiffs in the above-captioned action were submitted to the Court and filed with the clerk.

The Court, having duly heard all issues and a decision having been duly rendered, orders as follows:

1. Defendant Jaco Concrete Construction has failed to plead or otherwise defend as provided by Rule 55(a) of the Fed. R. Civ. P.
2. Jaco Concrete Construction violated the Labor-Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreement by failing to pay fringe benefit contributions on behalf of its employees to the Plaintiff Funds and by failing to fully submit to an audit of the company's books and records by the Plaintiff Funds designated representative covering the period of July 1, 2007 to the present date.

3. Plaintiffs must complete the audit of defendant's payroll records to liquidate their claims and proceed to judgment.

IT IS HEREBY ORDERED:

(a) that Jaco Concrete Construction is to submit within ten (10) days of the date of this Order to an audit of the company's books and records by the Plaintiff Funds' designated representative covering the period of July 1, 2007 to the present date; and

(b) that the results of said audit shall be submitted to the court within ten (10) days of the completion of the audit, and the Clerk of Court shall enter judgment in favor of the Plaintiff Funds to include all contributions, interest and liquidated damages due the Plaintiff Funds as reported by the auditor, along with Plaintiffs' costs and attorney fees.

Dated this 23rd day of July, 2008.

BY THE COURT

Barbara B. Crabb
U. S. District Court Judge